



RESOLUTION NO. 93-49
BOARD OF SUPERVISORS, COUNTY OF MONO

**A RESOLUTION OF THE MONO COUNTY BOARD OF SUPERVISORS
ESTABLISHING A SEXUAL HARASSMENT COMPLAINT PROCEDURE
FOR COUNTY EMPLOYEES**

Whereas, the County of Mono prohibits any form of sexual harassment in the workplace in accordance with Title VII of the Civil Rights Act; and

Whereas, all employees have the right to a work environment which is free from verbal, written, physical, visual or any other type; of intimidation or harassment because of sex; and

Whereas, immediate corrective actions will be taken should conduct of this nature occur between co-workers, supervisors and subordinates, as well as any unsolicited acts of non-employees on County premises; and

Whereas, for purposes of this policy, unwelcome sexual conduct will be considered unlawful sexual harassment when it is a term or condition of employment; the basis for any employment decision; interferes with work performance; or, creates an intimidating work environment; and

Whereas, the county, its employees, or agents shall not intimidate or discriminate against any employee who files a sexual harassment complaint or participates in any aspect of the investigation or review.

Now, therefore, the Mono County Board of Supervisors does hereby resolve to adopt the following sexual harassment complaint procedures:

PURPOSE:

To establish a sexual harassment complaint procedure for County employees.

AUTHORITY:

Title VII of the Civil Rights Act.

POLICY:

The County of Mono is committed to promoting and maintaining a work environment free from sexual harassment in any manner including verbal, written, physical, visual, or any other type; of intimidation by supervisors, co-workers or non-employees on County premises. Sexual harassment is a violation of County policy and State and federal law. Employees violating this sexual harassment policy may be subject to appropriate disciplinary action, up to and including discharge.

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1 DEFINITION:

2 Sexual harassment is defined as unwelcome sexual advances,
3 requests for sexual favors, and other verbal or physical
4 conduct of a sexual nature when:

5 1. Submission to such conduct is either explicitly or
6 implicitly made a term or condition of an individual's employ-
7 ment;

8 2. Submission to or rejection of such conduct by an
9 individual is used as the basis for employment decisions
10 affecting such individual; or

11 3. Such conduct has the purpose or effect of interfering
12 with an individual's work performance or creating an intimi-
13 dating, hostile, or offensive work environment.

14 PROCEDURES:

15 The following procedures have been formulated to assist
16 employees with complaints of sexual harassment. In processing
17 and reviewing sexual harassment complaints, all employees
18 shall make every effort to protect the privacy of the individ-
19 uals involved in a complaint, and investigations should be
20 conducted with discretion, sensitivity and due concern for the
21 dignity of those involved. All employees are assured that
22 they may make sexual harassment complaints and cooperate in
23 investigations of such complaints without fear of retaliation
24 or reprisal by the County, the employee's immediate super-
25 visor, or any other County management employee.

26 1. Informal Resolution:

27 In order to resolve sexual harassment complaints as early
28 as possible, employees with such complaints are encouraged to
29 verbally inform the immediate supervisor (or the next level
30 management employee if the immediate supervisor is an alleged
31 harasser), of the incident. The person so informed shall
32 promptly investigate the complaint and attempt to resolve the
33 matter so that any behavior constituting sexual harassment
34 does not occur. Such supervisor should impose any disciplinary
35 action that is warranted, in accordance with the County's
36 standard disciplinary procedures.

37 2. Written Complaint to County Administrative Officer:

38 If the sexual harassment complaint is not resolved to the
39 complainant's satisfaction through the informal resolution
40 procedure, or if the complainant prefers to waive the informal
41 resolution procedure and initiate the complaint in the follow-
42 ing manner, the employee shall complete a Sexual Harassment
43 Complaint Form (Attachment) and deliver it to the employee's
44 department head (or directly to the County Administrative
45 Officer if the department head is the alleged harasser), who
46 shall forward the complaint to the County Administrative
47 Officer.

48 The County Administrative Officer shall assign an individ-
49 ual to investigate the complaint. Within 30 days of the
50 filing of a complaint, an investigation shall be conducted and
51 a report sent to the County Administrative Officer, recommend-
52 ing actions to be taken to resolve the complaint. The County

1 Administrative Officer shall, within a reasonable time after
2 receiving the report, make a decision on the recommendations
3 and provide the complainant with a notification of the deci-
4 sion and action taken. If these limits cannot be met, the
5 complainant shall be informed in writing of the delay.

6 The notification shall also inform the complainant that,
7 if the complainant is not satisfied with the County Adminis-
8 trative Officer's decision, the complainant has the right to
9 file a complaint with State and/or federal regulatory agencies
10 and/or in State or federal court. Time limits for filing
11 complaints with regulatory agencies vary and employees should
12 check directly with those agencies for specific directions.

13 **PASSED AND ADOPTED** this 15th day of June , 1993
14 by the following vote:

15 AYES	: Supervisors Alpers, Lawrence, Paranick, Reid
16 NOES	: None
17 ABSTAIN	: None
18 ABSENT	: Supervisor Jarvis

19 ATTEST:

20 Nancy Gordon
21 Nancy Gordon, Deputy
22 Clerk of the Board

23 Andrea Lawrence
24 ANDREA LAWRENCE
25 CHAIR
26 BOARD OF SUPERVISORS

27 APPROVED AS TO FORM:

28 Neil McCarroll
29 NEIL MCCARROLL
30 ASSISTANT COUNTY COUNSEL

31 DATE: June 15, 1993
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